

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 16, 2006 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No.2045A Hartland's Cardinal Heights 2nd Addition Community Unit Plan (CUP)

PROPOSAL: Expand the boundary of the CUP by approximately 12 acres and increase the density from 56 dwelling units to 113.

LOCATION: NW 56th St. and W. Partridge Lane

LAND AREA: 32.84 acres, more or less

EXISTING ZONING: AG, Agricultural and R-3, Residential

WAIVER /MODIFICATION REQUEST:

1. To allow transferring sanitary sewer from one drainage basin to another.
2. To allow running sanitary sewer opposite street grades.
3. To allow lot depth to width ratio to exceed 3:1 for Lots 2-27, Block 1.
4. To allow lots with less than the minimum required lot width.
5. To allow lots with less than the minimum required area.

CONCLUSION:

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
1. To allow transferring sanitary sewer from one drainage basin to another.	Approval
2. To allow running sanitary sewer opposite street grades.	Approval
3. To allow lot depth to width ratio to exceed 3:1 for Lots 2-27, Block 1.	Approval 4.
To allow lots with less than the minimum required lot width.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

Lots 1-18, Blk1; Lot 1, Blk 2; Lots 1-17, Blk 3; Lots 1-13, Blk 4; Lots 1-6, Blk 5; Lot1, Blk 6; Outlots A, B, & C; Hartland's Cardinal Heights 7th Addition.

A portion of Lot 23 I.T. located in the SE 1/4 of Section 13, Township 10 North, Range 5 East, Lancaster County, NE

EXISTING LAND USE: Residential and undeveloped

SURROUNDING LAND USE AND ZONING:

North:	R-3, Residential	Undeveloped
	AG, Agricultural	Undeveloped
South:	AG, Agricultural	Undeveloped
East:	R-3, Residential	Single family and attached single-family
West:	AG, Agricultural	Undeveloped

ASSOCIATED APPLICATIONS:

Change of Zone #06046

Annexation #06011

HISTORY:

November 8, 2004 Final Plat #04086, Hartland's Cardinal Heights 7th Addition for 56 residential lots was approved by the Planning Director.

July 12, 2004 Annexation #03008, Change of Zone #04013 and Special Permit #2045, Hartland's Cardinal Heights 2nd Addition CUP for 72 residential lots was approved by City Council.

March 18, 2002 Preliminary Plat #01017 and Special Permit #1940, Hartland's Cardinal Heights 1st Addition for 209 residential lots on the east side of NW 56th St. was approved by the City Council.

Dec. 21, 1998 Preliminary Plat #97027, Hartland's Cardinal Heights Addition was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F-17)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

This area is shown as Agricultural in the Comprehensive Land Use Plan. (F-25)

The area is shown outside of the future service limit. (F-26)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use is often gradual. (F-27)

Future Service Limit: The land use plan also displays the future service limit for the City of Lincoln. Land inside this line represents the anticipated area to be provided with urban services within the planning period. (F-28)

"Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of

new affordable housing throughout the community.” (F-65)

Guiding Principles for New Neighborhoods indicates:

“Encourage a mix of housing types, single family, townhomes, apartments, elderly housing all within one area; Similar housing types face each other: single family faces single family, change to different use at rear of lot; Parks and open space within walking distance of all residences; Multi-family and elderly housing nearest to commercial area; Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads; Public uses (elementary schools, churches) as centers of neighborhood – shared facilities (city parks & school sites)”. (F-67)

Continue the City's growth policy of contiguous urban growth. Urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure. (F 75)

UTILITIES: All utilities are available. The Lincoln-Lancaster County Health Department (LLCHD) notes a 8" high pressure underground petroleum line is located to the west of this application. The pipeline is approximately 1,500 feet west of the west boundary of this application.

Public Works and Utilities notes that due to the elevation there may be a potential water pressure problem for two story and split level homes.

TRAFFIC ANALYSIS: NW 56th St. is a rural gravel road. The 2025 Comprehensive Plan identifies NW 56th St. as a minor arterial and is proposed for 2 lanes + turn lanes. The 2005-2011 Capital Improvement Program does not list any improvements for NW 56th St. All other streets within the CUP are local streets.

The development is within the Airport Environs Noise District and within a turning zone.

PUBLIC SERVICE: The nearest fire station is #11, Lincoln Air Park West at 3401 NW Luke St. The nearest elementary school is Arnold Elementary at 5300 W. Knight Dr.

ENVIRONMENTAL CONCERNS: Additional traffic from the increase in dwelling units could result in increase dust along NW 56th St.

ANALYSIS:

1. This application is to increase the boundary of Hartland's Cardinal Heights 2nd Addition CUP by approximately 12 acres and increase the number of lots from 56 to 113. A change of zone and annexation are associated with this special permit.
2. Although this area is shown outside of the future service limits, all public utilities can serve this area. The future service limit line is a representation, not an exact line, of where city services can be distributed.
3. The existing elevation in part of this subdivision is 30 feet higher than the maximum 1280 ground elevation required to provide acceptable water pressure. The proposed grading plan shows cuts up to 30 feet to bring street grades to a 1280 elevation. This

would most likely provide adequate water pressure for single story homes. Two story or split level homes would have fixtures above the 1280 elevation most likely resulting in low water pressure. The subdivision ordinance (26.23.140b) states that the lot arrangement and design of the subdivision shall be such that all lots shall provide satisfactory and desirable building sites. In order to provide all lots with adequate water pressure, the grading plan should be revised so the maximum elevation of the main floor of the house is at or below elevation 1280.

4. There are concerns about sanitary sewer capacity to the east. The utility plan shows Lots 7-9, Blk 5 and Lots 2 & 3, Blk 6 draining to the west into the future development area and then north before draining back to the east. The area labeled future development to the west shows potentially 40 additional lots to be drained to the east. These lots would raise capacity concerns for the sanitary sewer system to the east. The future lots should be served with sanitary sewer that drain to the south. Lots 7-9, Blk 5 and Lots 2 & 3, Blk along W. Partridge Lane should be served with sanitary sewer that drains to the east or not be final platted until sanitary sewer is available from the south.
5. The Lincoln Lancaster County Health Department (LLCHD) notes a 8" high pressure underground petroleum line west of this development. The line is located approximately one-half mile west of NW 56th St. from West Holdrege St. to West Adams St. The line is approximately 1,500 feet from the west boundary of this subdivision.
6. This development is within the Airport Environs Noise District and a turning zone. An Avigation and Noise easement will be required prior to the approval of any final plat.
7. The requested waivers were previously approved with Special Permit #2045.
8. There are existing residential developments to the north and east of this proposed development. View Pointe West is to the north and Hartland's Cardinal Heights is to the east.
9. The proposed development is in conformance with the 2025 Comprehensive Plan.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This approval permits 113 dwelling units with waivers
2. The City Council approves associated request:

2.1 Change of Zone #06046

2.2 Annexation #06011

3. Final plat(s) is/are approved by the City.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, streetlights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

Permittee agrees:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

to complete the installation of sidewalks along both sides of the streets as shown on the final plat within four (4) years following the approval of the final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the planting of the street trees along streets within this plat within four (4) years following the approval of the final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to complete the public and private improvements shown on the Community Unit Plan.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

- (1) Owner shall not be relieved of Owner's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to maintain the outlots and private improvements on a permanent and continuous basis.

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner

to submit to the lot buyers and home builders a copy of the soil analysis.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to protect the trees that are indicated to remain during construction and development

to relinquish the right of direct vehicular access from Lots 1-27, Block 1 and Lot 1, Block 2 to NW 56th St.

to inform all prospective purchasers and users that the land is located within the Airport Environs Noise District, that the land is subject to an aviation and noise easement granted to Lincoln Airport Authority, and that the land is potentially subject to aircraft noise levels which may affect users of the property and interfere with its use.

General Conditions:

3. Before a final plat is approved:

- 3.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

- 3.1. A revised site plan including **5** copies showing the following revisions:
 - 3.1.1.1 Change Cardinal Heights Lane to W. Redberry Lane on Sheets 3-5.
 - 3.1.1.2 Change Cardinal Heights Cir. to NW 58th Cir. on sheets 3-5.
 - 3.1.1.3 Add "West" to Thatcher Lane on sheets 1-2.
 - 3.1.1.4 Add utility easements as required by LES memo of July 20, 2006.
 - 3.1.1.5 Delete the City Council approval block.
 - 3.1.1.6 Delete waiver #1. A waiver to the preliminary plat is not required.
 - 3.1.1.7 Delete the R-3 zoning line and the note referencing the R-3 line on sheet 1.
 - 3.1.1.8 Add the following note: This area is located within the Airport Environs Noise District and is subject to an avigation and noise easement granted to Lincoln Airport Authority, and that the land is potentially subject to aircraft noise levels which may affect users of the property and interfere with its use.
 - 3.1.1.9 Add a note relinquishing direct vehicular access to NW 56th St.
 - 3.1.1.10 The future street layout to the west will result in a block length that exceeds the maximum length. To lessen the block length show a future street to the west off of the future street.
 - 3.1.1.11 Revise the grading plan so the minimum elevation of the main floor of a building is at or below elevation 1280.

- 3.1.1.12 Revise the utility plan to show the sanitary sewer for lots along W. Partridge flowing east to NW 58th St. Or add a note stating that Lots 7-9, Blk 5 and Lots 2 & 3, Blk 6 shall not be final platted until they can be served with sanitary sewer from the south.
- 3.1.1.13 Remove the sanitary sewer mains from the future development area.
- 3.1.1.14 Make corrections to the satisfaction of Public Works and Utilities Department memo of August 1, 2006.
- 3.1.1.15 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
- 3.2 Ornamental street lights for private roadways and pedestrian way easements are approved by L.E.S.
- 3.3 The construction plans comply with the approved plans.
- 3.4 Grant an avigation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environs Noise District.

Standard Conditions:

- 4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction is to comply with the approved plans.
 - 4.2 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
 - 4.6 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.7 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.8 The applicant shall sign and return the letter of acceptance to the City Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Tom Cajka
Planner

DATE: August 2, 2006

APPLICANT: Lyle Loth
ESP on behalf of Hartland Homes
601 Old Cheney Rd. Suite A
Lincoln, NE 68512

OWNER: Hartland Homes
P.O. Box 22787
Lincoln, NE 68512
(402) 477-6668

CONTACT: same as applicant



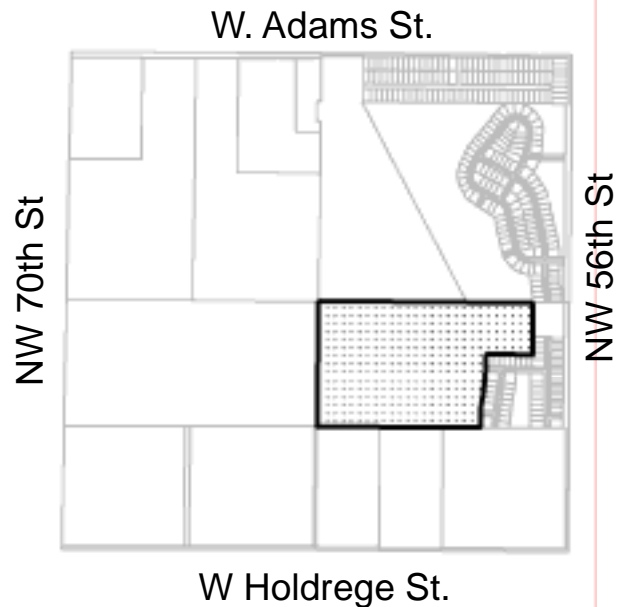
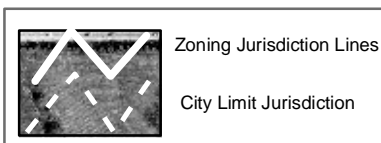
Special Permit #2045A NW 56th St & W Partridge Ln

2005 aerial

Zoning:

One Square Mile
Sec. 13 T10N R05E

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District



E.S.P.
ENGINEERING

60 OLD
CHERRY ROAD
SUITE 200
LANCASTER, NEBRASKA
68602

HARTLAND
COMMUNITY
AND
COMMUNITY
UNIT PLAN
CONCEPT

SITE
PLAN

Scale: 1"=100'

1 of 5

LOCAL DESCRIPTION

A part of the North Half of the Section Quarter of Section 13, Township 40 North, Range 2 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Being a portion of the Northeast Quarter of said North Half and containing about 12.46 acres, more or less, and being more particularly described as follows:

Section 13, Township 40 North, Range 2 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Section 13, Township 40 North, Range 2 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

SECTION 13

1. The property included within the limits of the C.D.L.R. contains of 12.46 acres.

2. The proposed development within the limits of the C.D.L.R. consists of a total of 113 single family lots.

3. All proposed streets and public and community facilities are in accordance with the requirements of the Public Works Department.

4. The proposed sanitary sewer, storm sewer, and water mains shall be public.

5. All developments along the Public Streets shall be public.

6. Any relocation of existing streets shall be to the satisfaction of the Public Works Department.

7. One will be taken in the amount of existing streets, to ensure only those streets required due to the grading and improvement of the proposed development.

8. Street names shall be provided as required by the City of Lancaster Design Standards.

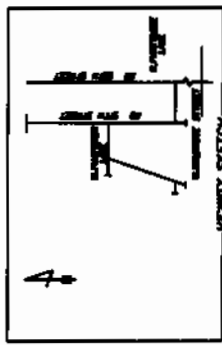
9. Existing easements have been developed from related field survey data and are based on 1975-80 data.

10. This site is within the subject zoning area and all improvements shall be in accordance with the subject zoning regulations.

11. It is certified that there is no existing gas pipeline crossing any part of the site to be used for the development of this proposed development.

REQUIRED UTILITIES

- 1. Water the preliminary site plan.
- 2. Water to allow fire fighting and other uses from one change hole to another.
- 3. Water to allow existing sanitary sewer adjacent street.
- 4. Water to allow fire fighting and other uses from one change hole to another.
- 5. Water to allow fire fighting and other uses from one change hole to another.
- 6. Water to allow fire fighting and other uses from one change hole to another.



LOCAL AREA TABLE									
SECTION	S.E.	N.E.	S.W.	N.W.	SECTION	S.E.	N.E.	S.W.	N.W.
1	1.00	1.00	1.00	1.00	1	1.00	1.00	1.00	1.00
2	1.00	1.00	1.00	1.00	2	1.00	1.00	1.00	1.00
3	1.00	1.00	1.00	1.00	3	1.00	1.00	1.00	1.00
4	1.00	1.00	1.00	1.00	4	1.00	1.00	1.00	1.00
5	1.00	1.00	1.00	1.00	5	1.00	1.00	1.00	1.00
6	1.00	1.00	1.00	1.00	6	1.00	1.00	1.00	1.00
7	1.00	1.00	1.00	1.00	7	1.00	1.00	1.00	1.00
8	1.00	1.00	1.00	1.00	8	1.00	1.00	1.00	1.00
9	1.00	1.00	1.00	1.00	9	1.00	1.00	1.00	1.00
10	1.00	1.00	1.00	1.00	10	1.00	1.00	1.00	1.00
11	1.00	1.00	1.00	1.00	11	1.00	1.00	1.00	1.00
12	1.00	1.00	1.00	1.00	12	1.00	1.00	1.00	1.00
13	1.00	1.00	1.00	1.00	13	1.00	1.00	1.00	1.00
14	1.00	1.00	1.00	1.00	14	1.00	1.00	1.00	1.00
15	1.00	1.00	1.00	1.00	15	1.00	1.00	1.00	1.00
16	1.00	1.00	1.00	1.00	16	1.00	1.00	1.00	1.00
17	1.00	1.00	1.00	1.00	17	1.00	1.00	1.00	1.00
18	1.00	1.00	1.00	1.00	18	1.00	1.00	1.00	1.00
19	1.00	1.00	1.00	1.00	19	1.00	1.00	1.00	1.00
20	1.00	1.00	1.00	1.00	20	1.00	1.00	1.00	1.00
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22	1.00	1.00	1.00	1.00	22	1.00	1.00	1.00	1.00
23	1.00	1.00	1.00	1.00	23	1.00	1.00	1.00	1.00
24	1.00	1.00	1.00	1.00	24	1.00	1.00	1.00	1.00
25	1.00	1.00	1.00	1.00	25	1.00	1.00	1.00	1.00
26	1.00	1.00	1.00	1.00	26	1.00	1.00	1.00	1.00
27	1.00	1.00	1.00	1.00	27	1.00	1.00	1.00	1.00
28	1.00	1.00	1.00	1.00	28	1.00	1.00	1.00	1.00
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63	1.00	1.00	1.00	1.00	63	1.00	1.00	1.00	1.00
64	1.00	1.00	1.00	1.00	64	1.00	1.00	1.00	1.00
65	1.00	1.00	1.00	1.00	65	1.00	1.00	1.00	1.00
66	1.00	1.00	1.00	1.00	66	1.00	1.00	1.00	1.00
67	1.00	1.00	1.00	1.00	67	1.00	1.00	1.00	1.00
68	1.00	1.00	1.00	1.00	68	1.00	1.00	1.00	1.00
69	1.00	1.00	1.00	1.00	69	1.00	1.00	1.00	1.00
70	1.00	1.00	1.00	1.00	70	1.00	1.00	1.00	1.00
71	1.00	1.00	1.00	1.00	71	1.00	1.00	1.00	1.00
72	1.00	1.00	1.00	1.00	72	1.00	1.00	1.00	1.00
73	1.00	1.00	1.00	1.00	73	1.00	1.00	1.00	1.00
74	1.00	1.00	1.00	1.00	74	1.00	1.00	1.00	1.00
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76	1.00	1.00	1.00	1.00	76	1.00	1.00	1.00	1.00
77	1.00	1.00	1.00	1.00	77	1.00	1.00	1.00	1.00
78	1.00	1.00	1.00	1.00	78	1.00	1.00	1.00	1.00
79	1.00	1.00	1.00	1.00	79	1.00	1.00	1.00	1.00
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88	1.00	1.00	1.00	1.00	88	1.00	1.00	1.00	1.00
89	1.00	1.00	1.00	1.00	89	1.00	1.00	1.00	1.00
90	1.00	1.00	1.00	1.00	90	1.00	1.00	1.00	1.00
91	1.00	1.00	1.00	1.00	91	1.00	1.00	1.00	1.00
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98	1.00	1.00	1.00	1.00	98	1.00	1.00	1.00	1.00
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100	1.00	1.00	1.00	1.00	100	1.00	1.00	1.00	1.00

LOCAL AREA TABLE									
SECTION	S.E.	N.E.	S.W.	N.W.	SECTION	S.E.	N.E.	S.W.	N.W.
1	1.00	1.00	1.00	1.00	1	1.00	1.00	1.00	1.00
2	1.00	1.00	1.00	1.00	2	1.00	1.00	1.00	1.00
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100	1.00	1.00	1.00	1.00	100	1.00	1.00	1.00	1.00

LEGAL DESCRIPTION

A part of the North Half of the Southeast Quarter of Section 13, Township 10 North, Range 5 East of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Beginning at the Southeast Corner of said North Half and extending thence N. 00°00'00" E., 1320.16 feet to the East Quarter Corner of said Section 13;

Thence S. 89°56'40" W., 1090.71 feet;

Thence S. 00°00'00" W., 555.12 feet;

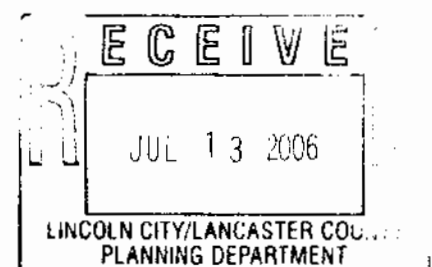
Thence N. 00°00'00" E., 16.40 feet;

Thence S. 00°00'00" W., 190.00 feet;

Thence N. 00°00'00" E., 6.34 feet;

Thence S. 00°00'17" E., 574.07 feet;

Thence N. 89°59'43" E., 1080.59 feet to the point of beginning containing 32.84 acres, more or less.





July 12, 2006

Mr. Marvin Krout, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

RE: HARTLAND'S CARDINAL HEIGHTS 2nd ADDITION
COMMUNITY UNIT PLAN/ SPECIAL PERMIT #2045A

Dear Marvin,

On behalf of Hartland Homes, Inc., we submit the above mentioned application for your review. The boundary of the special permit has been expanded to include 11.92 additional acres. The total area within the special permit consists of 32.84 acres. The total number of lots has been increased from 72 dwelling units to 113 single family lots.

The removal of dirt in the additional area will allow the area to be supplied with sewer and water. The grading plan reflects the proposed grading to acquire the utilities.

A separate administrative amendment is also being requested on View Pointe West Special Permit #1740 which corresponds with the grading and lot layout of this application. A change of zone to 'R-3' is being requested over those areas of both applications which are currently zoned 'AG'.

The waivers previously requested and approved remain a part of the application. The waivers requested are as follows:

1. Waive the preliminary plat process.
2. Waiver to allow transferring sanitary sewer from one drainage basin to another.
3. Waiver to allow running sanitary sewer opposite street grades.
4. Waiver to allow lot depth to width ratio exceeds 3:1 for Lots 2-27, Block 1.
5. Waiver to allow lots with less than the minimum required lot width.
6. Waiver to allow lots with less than the minimum required area.

Please do not hesitate to contact me if you have additional questions.

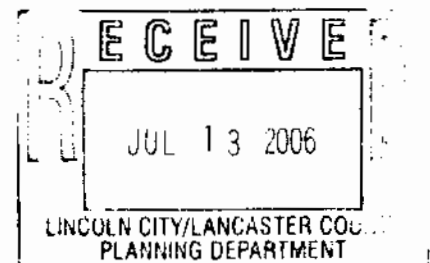
Sincerely,


Marcia L. Kinning

Cc: Hartland Homes, Inc.

Enclosures: 24 Copies of Sheet 1 of 5
8 Copies of Sheets 2 through 5 of 5
Application for a Special Permit
Certificate of Ownership

Application Fee of \$250.00
8 1/2" x 11" Reductions



Memorandum

To: Tom Cajka, Planning Department

From: Chad Blahak, Public Works and Utilities

Subject: Hartland Cardinal Heights 2nd Add. SP2045A, CZ06046, and AN06011

Date: August 1, 2006

cc:

Engineering Services has reviewed the submitted plans for the Hartland Cardinal Heights 2nd Add. special permit, located west of SW 56th Street near Partridge Lane and has the following comments:

1 Sanitary Sewer – The following comments need to be addressed.

(1.1) It should be noted that this plat proposes to add 12 lots that will drain outside of the natural drainage basin. These 12 lots are acceptable to Public Works. However, the area labeled future development to the west shows potentially 40 additional lots to be drained to the east into a different basin. The Wastewater Department has stated that these futures lots would raise capacity concerns for the sanitary system to the east and may be required to wait until a sanitary sewer is extended from the south to be developed.

2 Water Mains – The water system is satisfactory.

(2.1) The existing ground in parts of this plat is at an elevation up to 30 feet higher than the maximum 1280 ground elevation required to provide acceptable water pressure. The proposed grading plan shows cuts up to 30 feet to bring some of the street grades to a 1280 elevation. Although this technically meets the ground elevation requirement, floor elevations are usually at least 1-2 feet above the street elevation, usually more, requiring fixtures to be installed at five or more feet above the 1280 elevation. For two story and split level homes this elevation is even higher producing even low water pressure. Public Works has received water pressure complaints from home owners in the exist portion of Hartlands Cardinal Heights 2nd Addition which has a maximum street grade at about the 1276 elevation.

3 Grading/Drainage - The following comments need to be addressed.

(3.1) As stated previously in this report, the elevation requirements for water pressure require approximately 30 feet of cut in some areas. Although there are no design standards to govern lot grading, consideration for the quality of lots should taken in the analysis of this CUP. Lots on the west end of project are shown to have approximately 14' of fall from the top of the lot to the rear property line.

(3.2) The drainage report indicates that the storm runoff for area B is nearly twice as much for post development conditions compared to existing conditions. This not

acceptable. The grading and drainage needs to be revised to meet detention requirements or justification needs to be provided for waiving this requirement.

(3.3) The drainage report makes reference to certain areas that are not to be developed and other areas that are and makes assumptions based on these areas. It is unclear on the plans what areas the report is referring to. The plans and/or drainage report needs to be revised to clarify what areas are being proposed for development and what areas are not.

4 Streets - The following comments need to be addressed.

(4.1) The conceptual lot layout for the area labeled future development on the west end of the plat should show a future street connection to the west.

5 General – The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved. Any waivers not specifically requested with this application do not have implied approval. If a waiver of design standards arises at the time of construction plans, Public Works reserves the right to deny such a waiver and require that the plans be revised accordingly.

(5.1) The area proposed to be added to the Hartland Cardinal Heights 2nd Add. special permit is located in Tier II as shown in the current approved Comprehensive Plan. Given that this area is not in Tier I A or B and that there is issues providing adequate water and sanitary service, it should be considered whether or not this area should be annexed or rezoned at this time.

Status of Review: Approved

07/22/2006 1:54:31 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Tom Cajka DATE: July 22, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Hartland's Cardinal

EH Administration Heights 2nd Addition

SP #2045A

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

According to the LLCHD's Geographic Information System (GIS) records, an eight inch high pressure underground petroleum is located to the west of this application. In the event of a spill or leak of a flammable liquid, the United States Department of Transportation's 2000 Emergency Response Guidebook recommends immediately establishing an isolation area of at least 80 to 160 feet in all directions to protect public health. For a large spill of a flammable liquid, this guidebook recommends an initial downwind evacuation for at least 1000 feet.

Given this information, the LLCHD recommends establishing a buffer of 160 feet on each side of this pipeline. The LLCHD recommends contacting Magellan Pipeline Company to determine the exact location of this pipeline. While there are no current regulations that prohibit the location of occupied structures within certain distances of underground petroleum pipelines, the LLCHD recommends that occupied structures not be located within the 160 feet of this pipeline. At the very least, prospective buyers of the lots should be informed regarding the presence of the underground petroleum pipeline and the LLCHD's recommended 160 foot buffer.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Lincoln Electric System

ANY

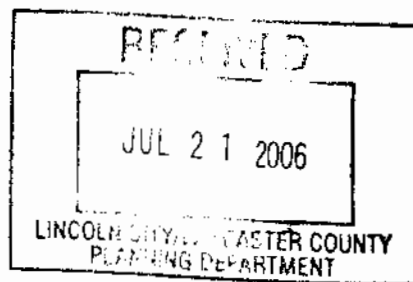
Comments:



www.lincolnaairport.com

July 20, 2006

Mr. Tom Cajka, Project Planner
City-County Planning
555 So. 10th
Lincoln, NE 68508



Subject: Hartland's Cardinal Heights 2nd Addition
Special Permit (CUP) # SP2045A

Mr. Cajka:

Regarding the proposed Special Permit:

This area is within the Airport Environs Noise District and subject to the provisions contained in Chapter 27.58 of the Lincoln Municipal Code. This will require an appropriate Avigation and Noise Easement, if there is not already one for this property.

This area is within a Turning Zone, as defined in Chapter 27.59, and so is subject to the provisions of that chapter. Specifically, since all of this area is above 1,248' in elevation and so is in the "shaded" area indicated on the airport zoning map, shall be subject to the provisions of Chapter 27.59.060.b.

If you have any comments or questions, please give me a call.

Sincerely,

AIRPORT AUTHORITY

Jon L. Large, P.E.
Deputy Director of Engineering

JLL/lb

cc: Bill Austin, w/enclosures

INTER-DEPARTMENT COMMUNICATION



DATE July 20, 2006

TO: Tom Cajka, City Planning

FROM: Sharon Theobald (Ext. 7640) *ST*

SUBJECT: DEDICATED EASEMENTS
DN #21N-58W

SP #2045A

Attached is the C.U.P./Special Permit Application for Hartland's Cardinal Heights 2nd Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over all of the Outlots.

ST/nh
Attachment
c: Terry Wiebke
Easement File

